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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/790,754 | 03/03/2004 | Fabiano Picollo | P69551US0 | 2888 |
| 136 | 7590 | 05/03/2006 | EXAMINER | |
| JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004 | | | BEAUCHAINE, MARK J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3653 | |

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/790,754 | PICOLLO, FABIANO | |
| | Examiner Mark J. Beauchaine | Art Unit 3653 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 January 2006.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 03 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1/31/06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent Number 4,072,156 by Abe (hereinafter "Abe"). The coin sorting device disclosed by Abe incorporates coin passage 7, holes 16, belt 8, rollers 19 and cantilever arms 20 that read on the Applicant's selection device, apertures, conveyor belt, pulleys and pin, respectively. Furthermore, said cantilever arms 20 support rollers 19 and are deflected by coins being passed between the roller 19/belt 8 configuration and the coin passage 7 (column 4, lines 62-66). The non-deflected and deflected arm position of Abe read on the Applicant's first and second rotational axis distances, respectively. Furthermore, when a cantilever arm is allowed to return from a deflected position to a non-deflected position the arm will, via momentum, over extend its position momentarily beyond the first non-deflected position to a recoil position. This movement of a cantilever arm to a recoil position is inherent in the release of the arm and the recoil position reads on the Applicant's axis extension beyond the first distance.

Regarding claim 4, said patent incorporates members 15 that read on the Applicant's guide.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe as applied to claim 1. Although Abe discloses coin passage 7 oriented along a horizontal plane, the orientation of an apertured plate on an incline to the horizontal is an obvious design choice. It would have been obvious to one of ordinary skill in the art at the time the invention was made to orient the passage 7 of Abe on an incline to reduce the overall profile of the apparatus and to provide a gravity assist to the conveying section of the apparatus.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abe as applied to claim 1 above, and further in view of Patent Number 4,230,135 by Ueda (hereinafter "Ueda"). Although the belt 8 of Abe is parallel to the series of guide members 15, the use of a powered conveyor belt inclined towards a coin guide member is well known in the art. Ueda teaches belts 20 that are angled towards guide rail edge 13a.

It would have been obvious to one of ordinary skill to incorporate the belt/guide configuration of Ueda into the coin sorting device of Abe to provide an effective means of forcing coins against a guide plate while being transported along a sorting plate.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe as applied to claim 1 above, and further in view of Patent Number 4,178,502 by Zimmermann (hereinafter "Zimmerman"). Although Abe fails to disclose a selection device, the incorporation of such a feature within a coin sorting device is well known in the art. Zimmerman teaches scanning head 12 located adjacent to coin sorting section 6.

It would have been obvious to one of ordinary skill to incorporate the scanning head 12 of Zimmerman into the coin sorting device of Abe to provide and effective means of verifying coin characteristics.

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe as applied to claim1 above, and further in view of Patent Number 3,818,918 by Nissmo et al (hereinafter "Nissmo"). Although Abe fails to disclose axially positionable pins associated with its turntable disc 2 the use of such a coin-transporting feature is well known in the art. Nissmo teaches inclined rotating disc 13 that incorporates pins 20 that retract into disc 13 based upon the pin position as the pins rotate about disc 13. Said disc and pins read on the Applicant's disc and pins, respectively.

It would have been obvious to one of ordinary skill at the time of the invention to incorporate the disc/pin configuration of Nissmo into the coin sorting apparatus of Abe to provide and effective means of transporting coins to an apertured coin sorting plate.

Response to Arguments

Applicant's arguments filed 31 January 2006 have been fully considered but they are not persuasive. Although the Applicant correctly asserts that coins C of Abe are passed through coin sorting holes 16 via the flexing of belt 8, Abe discloses the cantilever arms 20 being deflected by coins being inserted between belt 8 and coin passage 7 (column 4, lines 62-66). The non-deflected and deflected arm position of Abe read on the Applicant's first and second rotational axis distances, respectively. Furthermore, when a cantilever arm is allowed to return from a deflected position to a non-deflected position the arm will, via momentum, over extend its position momentarily beyond the first non-deflected position to a recoil position. This movement of a cantilever arm to a recoil position is inherent in the release of the arm and the resulting recoil position of the released arm reads on the Applicant's axis extension beyond the first distance.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571)272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

mjb